

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

**IN RE PAYMENT CARD
INTERCHANGE FEE AND MERCHANT
DISCOUNT ANTITRUST LITIGATION**

Case No. 05-md-01720 (MKB) (JO)

This Document Applies to:

7-Eleven, Inc., et al. v. Visa Inc., et al., No. 13-cv-05746 (MKB)(JO) (E.D.N.Y.)

STIPULATION AND [PROPOSED] ORDER

WHEREAS, on October 11, 2018, defendants in the above-captioned action (“Defendants”) filed a letter requesting a pre-motion conference, stating that Defendants intended to move, pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure, to dismiss all claims that plaintiffs in the above-captioned action (“Plaintiffs”) asserted on behalf of their subsidiaries, affiliates, and franchisees (*see* ECF No. 7271);

WHEREAS, on February 1, 2019, the Court entered a stipulation whereby Defendants agreed to withdraw their pre-motion letter without prejudice in order to allow the parties to continue discussions in an attempt to resolve the issues raised in Defendants’ letter, and Plaintiffs agreed to toll Defendants’ response to the operative complaint until 30 days after Plaintiffs filed an amended complaint;

WHEREAS, pursuant to that stipulation, Plaintiffs filed their Sixth Amended Complaint on April 29, 2020;

WHEREAS, the Court entered a stipulation whereby Defendants' deadline to respond to the Sixth Amended Complaint was extended until June 26, 2020;

WHEREAS, the Court entered a stipulation whereby Defendants' deadline to respond to the Sixth Amended Complaint was further extended until July 31, 2020;

WHEREAS, the Court entered a stipulation whereby Defendants' deadline to respond to the Sixth Amended Complaint was further extended until September 30, 2020;

WHEREAS, the Court entered a stipulation whereby Defendants' deadline to respond to the Sixth Amended Complaint was further extended until October 14, 2020;

WHEREAS, the parties believe that Plaintiffs have resolved the issues relating to Defendants' October 11, 2018, letter requesting a pre-motion conference and therefore would like to allow additional time for Defendants to respond to the Sixth Amended Complaint; and

WHEREAS, the parties do not intend this extension to affect any other deadlines in the case.

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, subject to the approval of the Court, that:

1. Defendants' deadline to answer the Sixth Amended Complaint in the above-captioned action is hereby extended until November 16, 2020.

Dated: October 14, 2020

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SO ORDERED:

Dated:

Brooklyn, New York

United States District Judge